

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

D

Winona Foods, Inc.  
Plaintiff(s),

v.

Case No. **07-C-1003**

Timothy J. Kennedy, Inc., d/b/a  
Kennedy Logistics & Warehouse  
Defendant(s).

CONSENT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE

In accordance with 28 U.S.C. §636(c) and Rule 73(b) of the Federal Rules of Civil Procedure, the undersigned counsel of record (or pro se litigant) consents to have WILLIAM E. CALLAHAN  
U.S. MAGISTRATE JUDGE conduct all proceedings in this case, including a bench or jury trial, and order the entry of final judgment.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Attorney for plaintiff (plaintiff pro se)

\_\_\_\_\_  
Attorney for defendant (defendant pro se)

**MAGISTRATE JUDGES DO NOT CONDUCT TRIALS IN FELONY CASES. ACCORDINGLY, IF THE PARTIES CONSENT TO THE EXERCISE OF JURISDICTION BY THE MAGISTRATE JUDGE, MAJOR CRIMINAL CASES WILL NOT INTERFERE WITH ITS SCHEDULING AND PROCESSING.**

REFUSAL TO CONSENT TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE

In the event you are unwilling to consent, sign below.

Signed and dated this 16th day of NOVEMBER, 2007.

Kristen M. H. [Signature]  
Attorney for plaintiff (plaintiff pro se)

\_\_\_\_\_  
Attorney for defendant (defendant pro se)

PLEASE SEE THE ORDER ON THE REVERSE SIDE FOR FURTHER INFORMATION. THIS FORM SHALL BE RETURNED TO THE CLERK OF COURT WITHIN TWENTY (20) DAYS FROM ITS RECEIPT AT P.O. BOX 22490, GREEN BAY, WI 54305-2490.

ASSIGNMENT OF CIVIL CASES  
EASTERN DISTRICT OF WISCONSIN

At the time a new civil action is filed, it is assigned by random selection to either a district judge or a magistrate judge in accordance with the local rules. Pursuant to the provisions of 28 U.S.C. §636(c) and Rule 73 of the Federal Rules of Civil Procedure, a United States Magistrate Judge may, with the consent of the parties, conduct all proceedings in this civil action, including a bench or jury trial and order the entry of judgment. The statute provides for direct appeal to the U.S. Court of Appeals for the Seventh Circuit.

Once the assigned district or magistrate judge has been selected, the local rules of this district require that each party to the action receive a copy of the "consent form." Each party shall complete the form and return it to the Clerk of Court **within 20 days** after its receipt.

If this case has been randomly assigned to a **district judge** and all parties consent to have the magistrate judge conduct all proceedings in the case, the district judge may enter an order transferring the case to the magistrate judge.

If this case has been randomly assigned to a **magistrate judge** and not all parties consent, then the case will be reassigned by random selection to a district judge. If all parties consent, the magistrate judge will conduct all proceedings in the action.

While the decision to consent or not to consent to the exercise of jurisdiction by the magistrate judge is entirely voluntary, the duty to respond to this order is **mandatory**. Your response shall be made to the Clerk of Court only on the form on the reverse side of this notice.

**IT IS THEREFORE ORDERED**, that you complete this form and return it to the Clerk of Court within **twenty (20) days** from receipt hereof at P.O. Box 22490, Green Bay, WI 54305-2490.

UNITED STATES DISTRICT COURT

s/ Rudolph T. Randa  
HONORABLE RUDOLPH T. RANDA  
Chief Judge